

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MOVEIN, INC.,
d/b/a Rentable

Plaintiff,

Case No. 24-cv-425-pp

v.

HELLO DATA, INC.,

Defendant.

**ORDER REMINDING PLAINTIFF OF OPTION TO FILE AMENDED
COMPLAINT IN LIEU OF RESPONDING TO DEFENDANT'S MOTION TO
DISMISS (DKT. NO. 8)**

On July 10, 2024, the defendant filed a motion to dismiss the complaint under Federal Rules of Civil Procedure 12(b)(2), 12(b)(3) and 12(b)(6). Dkt. No. 8. The defendant argues that it is not subject to personal jurisdiction in Wisconsin, that the Eastern District of Wisconsin is not a proper venue and that the complaint fails to state a claim. Dkt. No. 9.

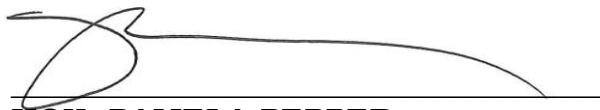
Under Civil Local Rule 7(b), if the plaintiff wishes to oppose the motion it must do so within twenty-one days—that is by July 31, 2024. The plaintiff is free to timely file a response to the motion to dismiss, but the court reminds the plaintiff that it has another option—it may file an amended complaint to try to cure the alleged deficiencies. See Runnion ex rel. Runnion v. Girl Scouts of Greater Chi. and Nw. Ind., 786 F3d 510, 522 (7th Cir. 2015) (explaining that a responsive amendment may avoid the need to decide the motion or reduce the

number of issues decided). Fed. R. Civ. P. 15(a)(1) allows the plaintiff to file the amended complaint as a matter of course within twenty-one days after service of the responsive pleading.

The court **ORDERS** that by July 31, 2024 the plaintiff shall file either an amended complaint or a response to the motion to dismiss.

Dated in Milwaukee, Wisconsin this 11th day of July, 2024.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge